

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

WASHINGTON COUNTY

Employer

and

Case 18-WH-266736

**MINNESOTA PUBLIC EMPLOYEES
ASSOCIATION**

Petitioner

**CERTIFICATION OF REPRESENTATIVE AS BONA FIDE
UNDER SECTION 7(b) OF THE FAIR LABOR STANDARDS ACT OF 1938**

On September 25, 2020, the Minnesota Public Employees Association (the Petitioner) filed with the Regional Director for Region 18 of the National Labor Relations Board a request for certification of representative as bona fide under Section 7(b) of the Fair Labor Standards Act of 1938 (FLSA), 29 U.S.C. § 207(b).

On October 15, 2020, the Regional Director for Region 18 served on the parties a Notice to Show Cause why the Board should not grant the request. No response was filed. As the Region's investigation revealed that the Petitioner is the recognized exclusive collective-bargaining representative of the unit employees,¹ the Regional Director recommended to the Board that the requested certification be issued.

¹ The record indicates that the Employer is a public sector employer and it contains a copy of the parties' current collective-bargaining agreement, effective by its terms from January 1, 2019 through December 31, 2020, as well as a copy of the Certification of Exclusive Representative issued on March 26, 2015 by the Minnesota Bureau of Mediation Services (BMS).

No party having shown cause why the requested certification should not be issued, the National Labor Relations Board certifies that the Minnesota Public Employees Association is a bona fide representative, for purposes of Section 7(b) of the FLSA, of the employees of Washington County in the following unit:²

All non-licensed essential employees of the Washington County Sheriff's Department, Stillwater, Minnesota falling within the following classifications: Correctional Officer Sergeant, Administrative Sergeant of Operations and P.S.A.P. Coordinator who are public employees within the meaning of Minn. Stat. 179A.03, subd. 14, excluding licensed essential, supervisory, and confidential employees.

Dated, Washington, D.C., November 20, 2020.

By direction of the Board:

Roxanne Rothschild

Executive Secretary

² A certificate of representative as bona fide for purposes of the FLSA does not necessarily establish the certified organization's right to be recognized as the exclusive bargaining representative under the provisions of the National Labor Relations Act. See *County of Alameda*, 322 NLRB 614 (1996).